

October 6, 2009

Mr. Robert E. Link, Manager
Environmental, Safety, Health
and Licensing
AREVA NP, Inc.
2101 Horn Rapids Road
Richland, WA 99354-5102

SUBJECT: REVISIONS TO RESPONSES TO REQUEST FOR ADDITIONAL INFORMATION
IN SUPPORT OF AREVA NP, INC'S LICENSE AMENDMENT APPLICATION FOR
THE SUPERCRITICAL CARBON DIOXIDE EXTRACTION PROCESS AT THE
RICHLAND FUEL FABRICATION FACILITY (LICENSE NO.: SNM-1227; DOCKET
NO.: 70-1257)

Dear Mr. Link:

On August 20, 2009, Peter Habighorst and I had a conversation with your staff to discuss the approaches used by AREVA NP, Inc. (AREVA) to define certain "design features" to meet the performance requirements for the supercritical carbon dioxide license amendment application, as required in Title 10 of the *Code of Federal Regulations* (10 CFR), 70.61. After this discussion, I discussed the information AREVA conveyed with other members in my organization to get additional views on the acceptability of your approach to meet the regulatory requirements. The approach described by AREVA was, in part, the basis for the responses to the request for additional information (RAI) submitted to the U.S. Nuclear Regulatory Commission (NRC) in your letter dated July 13, 2009.

The NRC staff concludes that the approach described during the conference call and used to respond to the RAIs is not acceptable to meet the performance requirements in 10 CFR 70.61 for the purpose of the license amendment application. The NRC staff concludes that items relied on for safety (IROFS) must be declared in order to meet these requirements. Since AREVA described certain "design features" to achieve this purpose, the AREVA staff should revise the RAI responses mentioned in the enclosure.

In addition, the NRC staff reviewed the RAI response to Question # 10 in the area of Chemical Safety and concludes that the response provided by AREVA needs to be revised because it does not identify what inspection activities would apply to IROFS in the proposed process.

In order to meet our schedule, the information requested in the enclosure should be provided within 30 days from the date you receive this letter. Please remember that if your response contains proprietary information that you want withheld from the public under 10 CFR, Section 2.390, you must identify such information in your letter and your basis for withholding it.

If you have any questions, please contact me at (301) 492-3111, or via e-mail at Rafael.Rodriguez@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agency-wide Documents Access and Management System (ADAMS). ADAMS is accessible through the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Rafael L. Rodriguez, Project Manager
Fuel Manufacturing Branch
Fuel Facility Licensing Directorate
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-1257
License No.: SNM-1227

cc:
Calvin D. Manning, Manager
Nuclear Criticality Safety
AREVA NP, Inc.
2101 Horn Rapids Road
Richland, WA 99354-5102

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Sincerely,

/RA/

Rafael L. Rodriguez, Project Manager
Fuel Manufacturing Branch
Fuel Facility Licensing Directorate
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-1257
License No.: SNM-1227

cc:

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Nuclear Criticality Safety
AREVA NP, Inc.
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